

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of HART et al.

Appln. No: not yet known

Cont. of Appln. No.: 09/337,946

Group Art Unit: 1648

Filed: October 29, 2003

Examiner: D. Wortman

Title: EBOLA VIRION PROTEINS EXPRESSED FROM VENEZUELAN EQUINE
ENCEPHALITIS VIRUS REPLICONS

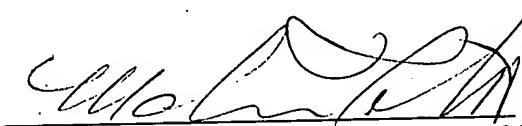
October 29, 2003

STATEMENT PURSUANT TO 37 CFR 1.198(d)

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In connection with the above-identified continuation application, Applicants have filed concurrently herewith an Information Disclosure Statement and corresponding PTO-1449 form citing a number of references. Copies of all the references cited on the PTO-1449 form were submitted and considered in parent application Serial No. 09/337,946 (filed 6-22-99). Pursuant to 37 CFR 1.198(d), copies of these references are not required to be supplied in this continuation application.

By: 

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
Army144(cont)

In Re Application Of: Hart et al.

Serial No. not known	Filing Date October 29, 2003	Examiner D. Wortmann	Group Art Unit 1648
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Title: Ebola Virion Proteins Expressed from Venezuelan Equine Encephalitis Virus Replicons

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
Army144(cont)

In Re Application: Hart et al.

Serial No.
not known

Filing Date
October 29, 2003

Examiner
D. Wortmann

Group Art Unit
1648

Ebola Virion Proteins Expressed from Venezuelan Equine Encephalitis Virus Replicons

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.
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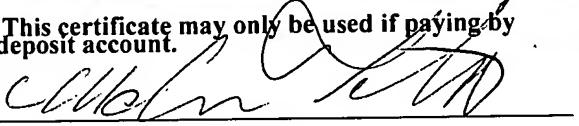
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Signature

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Dated: October 29, 2003

CC:

MINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)	Army-144	Application Number <i>Case No. 09/337,946</i>
Applicant(s)	Hart et al.	
Filing Date	10-29-03	Group Art Unit 1648

EXAMINER INITIAL	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
C	Grieder et al., "Specific Restrictions in the Progression of Venezuelan Equine Encephalitis Virus-Induced Disease Resulting from Single Amino Acid Changes in the Glycoproteins", <i>Virology</i> 206, pp. 994-1006 (1995).
D	Pushko et al., "Replicon-Helper Systems from Attenuated Venezuelan Equine Encephalitis Virus: Expression of Heterologous Genes in Vitro and Immunization against Heterologous Pathogens in Vivo", <i>Virology</i> 239, 389-401 (1997).
E	Hart et al., "Priming of anti-human immunodeficiency virus (HIV) CD8+ cytotoxic T cells in vivo by carrier-free HIV synthetic peptides", <i>PNAS USA</i> , Vol. 88, pp. 9448-9452, Nov. 1991.
F	Sanchez et al., "Sequence analysis of the Ebola virus genome: organization, genetic elements, and comparison with the genome of Marburg virus", <i>Virus Research</i> , 29 (1993) 215-240.
G	Nicolet and Paulinock, "Promoter Analysis of an Interferon-Inducible Gene Associated with Macrophage Activation", <i>J. Immunology</i> , 1994, pp. 152-162.
H	Vanderzanden et al., "DNA vaccines expressing either the GP or NP genes of Ebola virus protect mice from lethal challenge", <i>Virology</i> 246, pp. 134-144 (1998).
I	Sanchez et al., "The nucleoprotein gene of Ebola virus: cloning, sequencing, and in vitro expression", <i>Virology</i> 170, pp. 81-91 (1989).
J	Volchkov et al., "GP mRNA of Ebola virus is edited by the Ebola virus polymerase and by T7 and vaccinia virus polymerases", <i>Virology</i> 214, pp. 421-430 (1995).
K	Gilligan, et al., "Assessment of Protective Immunity Conferred by Recombinant Vaccinia Viruses to Guinea Pigs Challenged with Ebola Virus", <i>Vaccines</i> 97, 1997, pp. 87-92.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION
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ATTY DOCKET NO.
Army-144

SERIAL NO.
Co. 1
200 of 09/337,946

Inventors: Hart et al.

FILING 10-29-03

GROUP

1648

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PCT International Search Report for international application no. PCT/US99/14311 (corresponding to US application serial no. 09/337 946), dated June 14, 2000 (8 pages).

¹⁰ "Screening for Ebola virus infection". Nature Medicine, Vol. 4, No. 1, January 1998, pages 37-42.

1100

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>		Docket Number (Optional) Army-144	Application Number <i>Contapp 09/337,946</i>
		Applicant(s) Hart et al.	Filing Date <i>10-29-03</i>
EXAMINER INITIAL	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
E	Vanderzanden, et al., "DNA Vaccines Expressing either the GP or NP Genes of Ebola Virus Protect Mice from Lethal Challenge", Virology 246, pages 134-144 (1998).		
F	(Abstract from Database Biosis, online) Pushko et al., "Venezuelan equine encephalitis virus replicon vector: Immunogenicity studies with ebola NP and GP genes in guinea pigs", document no. XP-0021315176, 1997, 1 page.		
G	Sanchez et al., "Sequence analysis of the Ebola virus genome: organization, genetic elements, and comparison with the genome of Marburg virus", Virus Research, 29 (1993) pages 215-240.		
H	Sanchez et al., "Variation in the Glycoprotein and VP35 Genes of Marburg Virus Strains", Virology 240, No. 1, 1998, pages 138-146.		
I	Pushko, et al., "Replicon-Helper Systems from Attenuated Venezuelan Equine Encephalitis Virus: Expression of Heterologous Genes in Vitro and Immunization against Heterologous Pathogens in Vivo". Virology 239, 1997, pages 389-401.		
EXAMINER	DATE CONSIDERED		

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